

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHELLY ROBINSON,

Plaintiff,

v.

J.M. SMUCKER COMPANY,

Defendant.

Case No. [18-cv-04654-HSG](#)

**ORDER DENYING STIPULATION
FOR CONTINUANCE OF HEARING**

Re: Dkt. Nos. 38, 39

On February 13, 2019, the parties filed a stipulation to continue the February 21 hearing on Defendant's motion to dismiss the first amended complaint. *See* Dkt. Nos. 38 (original stipulation), 39 (corrected stipulation), 26 (motion to dismiss). That hearing date has been set since November 7, 2018. Dkt. No. 26. Defendant represented that its lead counsel "has an unexpected conflict" with the hearing. *See* Dkt. No. 39 at 2.

Under Civil Local Rule 6-1(b), a "stipulated request . . . which affects a hearing or proceeding on the Court's calendar must be filed no later than 14 days before the scheduled event." And under Local Rule 6-2(a)(1), the stipulation must be accompanied by a declaration that "[s]ets forth with particularity the reasons for the request[]."

The parties have not complied with the 14-day rule and have not attached a declaration setting forth the reasons for the request. Accordingly, the stipulation to continue the hearing is **DENIED.**

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Should the parties file an amended stipulation to continue the hearing, they must make a specific and detailed showing regarding the “unexpected conflict” and explain why it warrants the Court moving a hearing that has been scheduled since November. The parties should indicate whether they are available on February 28, 2019, if the Court finds good cause to continue the hearing.

IT IS SO ORDERED.

Dated: 2/15/2019


HAYWOOD S. GILLIAM, JR.
United States District Judge